

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
TEXARKANA DIVISION**

MOTOROLA MOBILITY, INC. and
GENERAL INSTRUMENT CORPORATION,

Plaintiffs,

v.

TIVO INC.,

Defendant.

TIVO INC.,

Counterclaim Plaintiff

v.

MOTOROLA MOBILITY, INC., GENERAL
INSTRUMENT CORPORATION, TIME
WARNER CABLE INC., and TIME
WARNER CABLE LLC,

Counterclaim
Defendants.

Civil Action No. 5:11-cv-00053-JRG

JURY TRIAL DEMANDED

JOINT NOTICE OF AGREED MOTIONS IN LIMINE AND OTHER OBJECTIONS

The Parties have met and conferred regarding Motions *in Limine* and other objections.

The Parties have agreed to the Motions *in limine* as set forth in Dkt. No. 403. Furthermore, the Parties respectfully advise the Court of the following:

Motorola and TWC's Motion in Limine No. 2: The Parties agree (1) that neither will introduce evidence, testimony or argument of the specific total market capitalization or total assets of a party, and (2) that evidence or testimony of the profitability of products alleged to

practice one or more of the patents-in-suit that is otherwise admissible should not be excluded. The Parties have not reached agreement on other issues presented by this motion and continue to dispute the admissibility of the purchase price of certain corporate transactions and total revenues of certain businesses as described in the briefing, as well as whether it is permissible to refer to the size of a company.

TiVo's Motion in Limine No. 5: TiVo confirms that TiVo's Motion In Limine No. 5 is directed only at trial exhibits PX-0086, PX-0087, PX-0097, PX-0101, PX-0105, PX-0128, PX-0129, PX-0147, PX-0154, PX-0160, PX-0162, PX-0164–PX-0167, PX-0171, PX-0181, PX-0202, PX-0209–PX-0211, PX-0230–PX-0234, PX-0248–PX-0251. TiVo's motion inadvertently referenced other exhibits. Except for the foregoing correction to the identification of trial exhibits that are the subject of the motion, TiVo's motion remains unchanged.

The parties will continue to discuss trial issues, including other objections the parties may have, and will report to the Court on any further agreements the parties are able to reach before the April 23, 2013 pretrial conference.

Respectfully submitted,

By: /s/ *Jennifer H. Doan*

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CERTIFICATE OF SERVICE

The undersigned certifies that on this 17th day of April 2013, all counsel of record who are deemed to have consented to electronic service are being served with a copy of this document through the Court's CM/ECF system under Local Rule CV-5(a)(3). Any other counsel of record will be served by a facsimile transmission and/or first class mail.

/s/ Jennifer H. Doan
Jennifer H. Doan